

REMARKS

The Office Action mailed June 23, 2005, has been received and reviewed. Claims 1 through 4, 6 through 9, and 11 through 19 are currently pending in the application. Claims 1 through 4, 6 through 9, and 11 through 19 stand rejected. Applicants have canceled claims 1-19 and added new claims 20-31. Reconsideration is respectfully requested.

New claims

Applicants have canceled claims 1-19 and added new claims 20-31. No new matter has been added. Support for the new claims may be found throughout the as-filed specification, for example, page 3, line 9 – page 5, line 21.

35 U.S.C. § 102(b) Anticipation Rejections

Claims 1 through 3, 8, 9 and 11-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kikuchi (JP 56-029332). As claims 1-3, 8, 9 and 11-14 have been canceled, applicants respectfully submit the rejection is moot.

Claims 9, 11 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rothschild et al. (U.S. Patent No. 4,938,850). As claims 9, 11 and 12 have been canceled, applicants respectfully submit the rejection is moot.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being anticipated by de Brebisson (U.S. Patent No. 4,443,933). As claim 15 has been canceled, applicants respectfully submit the rejection is moot.

Claim 17 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Dao et al. (U.S. Patent No. 5,824,601). As claim 17 has been canceled, applicants respectfully submit the rejection is moot.

Claims 18 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Stacher (U.S. Patent No. 5,039,612). As claims 18 and 19 have been canceled, applicants respectfully submit the rejection is moot.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v.*

Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Kikuchi discloses a solution for etching a silicon nitride film. Kikuchi fails to disclose, either expressly or inherently, the method of forming an opening in a borophosphosilicate glass layer on a semiconductor device or the method of selectively etching a borophosphosilicate glass layer on a semiconductor device as recited in new claims. Accordingly the new claims 20-31 are not anticipated by Kikuchi.

Rothschild discloses a method of depositing metal on a titanium surface. Rothschild fails to disclose, either expressly or inherently, the method of forming an opening in a borophosphosilicate glass layer on a semiconductor device or the method of selectively etching a borophosphosilicate glass layer on a semiconductor device as recited in new claims. Accordingly the new claims 20-31 are not anticipated by Rothschild.

de Brebisson discloses a method of etching aluminum oxide. de Brebisson fails to disclose, either expressly or inherently, the method of forming an opening in a borophosphosilicate glass layer on a semiconductor device or the method of selectively etching a borophosphosilicate glass layer on a semiconductor device as recited in new claims. Accordingly the new claims 20-31 are not anticipated by de Brebisson

Dao discloses a method of etching silicon oxide. Dao fails to disclose, either expressly or inherently, the method of forming an opening in a borophosphosilicate glass layer on a semiconductor device or the method of selectively etching a borophosphosilicate glass layer on a semiconductor device as recited in new claims. Accordingly the new claims 20-31 are not anticipated by Dao.

Stacher discloses a method of detecting surface oxidation on titanium aluminide metallic material. Stacher fails to disclose, either expressly or inherently, the method of forming an opening in a borophosphosilicate glass layer on a semiconductor device or the method of selectively etching a borophosphosilicate glass layer on a semiconductor device as recited in new claims. Accordingly the new claims 20-31 are not anticipated by Stacher.

35 U.S.C. § 103(a) Obviousness Rejections

Claims 4, 6 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dao et al. (U.S. Patent No. 5,824,601) in view of Morimoto (U.S. Patent No. 4,721,548). As claims 4, 6 and 16 have been canceled, applicants respectfully submit that the rejection is moot.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over de Brebisson (U.S. Patent No. 4,443,933) in view of Morimoto (U.S. Patent No. 4,721,548). Applicants respectfully traverse this rejection, as hereinafter set forth. As claim 7 has been canceled, applicants respectfully submit the rejection is moot.

The discussion of Dao and de Brebisson is incorporated herein. Morimoto fails to cure the deficiencies of either reference. Accordingly, the new claims 20-31 are not rendered obvious by the proposed combination of references.

ENTRY OF AMENDMENTS

The amendments to the claims above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search.

CONCLUSION

Claims 20-31 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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